

procedures and requirements for filing objections to the Report and Recommendation and the serious consequences if he failed to do so. Plaintiff has filed no objections to the Report and Recommendation and the time for doing so has expired.¹

After reviewing the Complaint, the record, and the Report and Recommendation of the Magistrate Judge, the court agrees with the recommendation of the Magistrate Judge. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

IT IS HEREBY ORDERED that this action is **DISMISSED** *without prejudice and without service of process*.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
March 27, 2006

C:\temp\notesB0AA3C\06-434 Darby v. City of Orangeburg - dis wo prej and svc - dmb - fails to state a claim.wpd

¹Plaintiff did file an unlabelled document on February 28, 2006, but the document is non-responsive to the Report and Recommendation.